



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held October 30, 2007, the Board took the following action:

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At the time and place regularly set, notice having been duly given, the following item was called up:

Hearing to consider the proposed Santa Monica Mountains Local Coastal Program and its Land Use Policy Map [Local Plan Amendment No. 2006-00008-(3) and Zone Change Case No. 2006-00009-(3)], which repeals the 1986 Malibu Land Use Plan, makes zoning consistent with the Land Use Policy Map, and amends the County Code, Title 21 - Subdivisions and Title 22 - Planning and Zoning, relating to the establishment of the Santa Monica Mountains Coastal Zone Community Standards District, and other actions necessary to implement the Santa Monica Mountains Segment of the Los Angeles County Local Coastal Program; and find that the project is consistent with the Los Angeles County General Plan.

All persons wishing to testify were sworn in by the Executive Officer of the Board. Gina Natoli, representing the Department of Regional Planning testified. Opportunity was given for interested persons to address the Board. Joseph Edmiston, Toby Keeler, Kim Lamorie, Tatiana Gaur, Mary Ellen Strote, Valerie Burkholder and others addressed the Board. Correspondence was presented.

Supervisor Yaroslavsky made the following statement:

"Seven years ago, this Board of Supervisors adopted the Santa Monica Mountains North Area Plan as a way to stop the overdevelopment along the Ventura Freeway that had historically threatened this environmentally sensitive region. Today, the Board of Supervisors has a unique opportunity to expand that protection to the Coastal Zone by voting in favor of the Santa Monica Mountains Local Coastal Program (LCP) with a few important modifications that have been raised by members of the public during the extensive public input process that has gone into creating this LCP.

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“Because of the Santa Monica Mountains’ environmental sensitivity, susceptibility to wildfires, and geologic hazards, the proposed LCP unequivocally establishes the principle that resource protection – and public safety – have priority over development in the Santa Monica Mountains Coastal Zone. Just as importantly, it will codify a stringent set of environmental protection measures to ensure that the LCP’s policies are implemented fairly, honestly, and consistently.

“To that end, the LCP will: dramatically reduce zoning densities, ban new residential and commercial development in Environmentally Sensitive Habitat Areas (ESHA), prohibit new development within 50 ft of significant ridgelines, require thorough biological review prior to the issuance of any coastal development permit, reduce grading and site disturbance, dramatically limit the footprint of new development and guide it toward the flattest portions of a property, limit the length of new driveways and access roads, enact ‘dark skies’ provisions to prevent light pollution, prohibit any net increase in the number of developable lots in the Coastal Zone, create development standards to preserve scenic views, require the use of landscape plans that will prevent the introduction of invasive plants, minimize the aesthetic impact of retaining walls, preserve the free movement of wildlife throughout the Santa Monica Mountains Coastal Zone, and take many other actions to similarly protect environmental resources and avoid natural hazards.

“While the LCP takes every appropriate and legal step to limit new development, the Plan also recognizes that the Coastal Zone is home to nearly 10,000 people who live in several established communities each of which have their own unique character, needs, and way of life. In the same vein, the LCP recognizes that both the Coastal Act and good public policy mandate the preservation and expansion of visitor serving uses that are appropriate to the Santa Monica Mountains National Recreation Area’s unique environment. For that reason, the LCP aggressively promotes the expansion of the public trail system, facilitates the creation of new public parks and related uses, and carefully allows a select few new land uses that will allow the public to stay overnight in the Santa Monica Mountains—as long as these overnight facilities are on large lots, will maintain the rural aesthetic of the area, incorporate comprehensive environmental protection and emergency preparedness measures, and pass thorough environmental study and public review.

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“Similarly, the LCP codifies policies that will ensure that the Santa Monica Mountains’ history of horse keeping will continue long into the future. At the same time, horse facilities will be required to meet stringent environmental requirements that include unequivocal setbacks from all riparian zones and the implementation of other best management practices to protect native habitat and preserve water quality.

“In short, once certified by the California Coastal Commission, the County’s LCP will consistently protect sensitive environmental resources by applying binding and equally applied development standards on every project. With the exception of access roads, it will prohibit new development in ESHA. It will require an unprecedented set of measures to protect public health and safety from wild fires and geologic instability. It will improve water quality at the County’s heavily used beaches by preserving inland watersheds and protecting streams and tributaries from runoff and other pollutants. It will simplify the permitting process and provide certainty for applicants and other interested parties. It will preserve the Santa Monica Mountain’s historic way of life. It will allow the County to assume local permitting authority within our own jurisdiction. For all these reasons, now is the time for the County to enact these protections and preserve the Santa Monica Mountains Coastal Zone in perpetuity.”

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Burke, unanimously carried (Supervisor Molina being absent), the Board closed the hearing and instructed County Counsel and Director of Planning to incorporate the following changes to the Santa Monica Mountains Local Coastal Program, and submit the LCP to the Board for final consideration prior to submission to the California Coastal Commission for its review and certification:

- Prohibit camp fires in the Santa Monica Mountains Coastal Zone;
- Add “emergency preparedness and response facilities” as an allowed use in every zone;
- For the purpose of facilitating the rebuilding of homes destroyed in a disaster, allow the Director to not only waive informational requirements as currently stated in the LCP, but also allow the Director to look at Assessor’s records, aerial photographs, and any other tools helpful to establishing that a given use was lawfully established;

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- Clearly state that new development, except for trails, shall be prohibited on slopes of 50 percent or greater, unless required for safety reasons or if allowing such development would be more protective of coastal resources;
- Clarify that existing, lawfully established developments, including livestock-containment facilities, shall be grandfathered with respect to mandated setbacks, but shall nevertheless be subject to all other required best management practices at the soonest practicable date;
- Enact a policy that states that the square-foot standards for building sites in Watersheds, Significant Watersheds, and Significant Woodlands and Savannahs reflect maximum sizes that may be reduced by the County in order to minimize off-site remedial grading and manufactured slopes;
- Limit the maximum size of a building site in Watersheds to 10,000 square feet;
- In light of the relatively undisturbed riparian habitat, oak woodlands, and native habitat in the Dark Canyon area, designate this area as a “Significant Watershed”;
- Provide increased discretion to the Director for the LCP’s incentive program to ensure that benefits conveyed to applicants are commensurate with the public benefit being offered;
- Amend the provisions related to rebuilding, modifying, or moving structures within ESHA to clearly state that under no circumstances shall the intensity and environmental impacts of any grandfathered uses within ESHA be increased, and make other related changes as recommended by County Counsel;
- As mandated by State law, clearly state that all provisions of the Santa Monica Mountains LCP will comply with the Subdivision Map Act;
- Clarify that for the purposes of this Local Coastal Program, livestock shall be defined as an agricultural use;

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- Limit crops planted as an accessory use under County Code Section 22.40.830 to Fuel Modification Zones A and B only;
- Enact a land use plan policy that states that with regard to channelization of streams, bioengineered alternatives shall be preferred and must be the alternative of first-resort over hard solutions such as concrete or riprap channels;
- Enact a land use plan policy that states that existing in-stream road crossings, such as “Arizona crossings,” shall be phased out or upgraded when scheduled or other major maintenance or repair activities are undertaken.
- Close the loophole in the existing plan that allows multiple enlargements of a structure of 10% or greater to be exempted from requiring a Coastal Development Permit in all Significant Ecological Resource Areas;
- State that all new development and redevelopment projects shall integrate Low Impact Development principles into project design, as delineated by the County’s adopted Low Impact Development standards;
- Create a policy that establishes informational signage for recreational users along trails, parking lots, and the periphery of areas devoted to recreation indicating the presence of aquatic invasive species and practices to prevent their spread;
- Incorporate Hazard Analysis and Critical Control Point planning into the Coastal Development Permit review process;
- Clarify that bed and breakfasts require a Major Coastal Development Permit;
- Add a requirement that proof of water availability and legal access shall be required prior to the issuance of any grading permit or coastal development permit;

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- Add a land use plan policy that states that all new development shall be reviewed for potential degradation of water quality. The water quality objectives shall be consistent with those set for the Los Angeles County MS4 NPDES Permit;
- In order to minimize alteration to natural landforms, require the use of contour grading throughout the Santa Monica Mountains Coastal Zone; and
- Incorporate changes recommended by Regional Planning staff.

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Attachments

Copies distributed:

Each Supervisor
Chief Executive Officer
County Counsel
Fire Chief
Director of Beaches and Harbors
Director of Parks and Recreation
Director of Planning
Director of Public Health
Director of Public Works
Joseph Edmiston
Toby Keeler
Kim Lamorie
Tatiana Gaur
Mary Ellen Strote
Valerie Burkholder